

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL 2327 JOSEPH R. GOODWIN U.S. DISTRICT JUDGE
THIS DOCUMENT RELATES TO: WAVE 3 CASES	

**MOTION TO EXCLUDE THE OPINIONS AND
TESTIMONY OF SCOTT A. GUELCHER, PH.D.**

Defendants Ethicon, Inc., Ethicon LLC and Johnson & Johnson (“Ethicon”) move to exclude the opinions and testimony of Scott A. Guelcher, Ph.D. Dr. Guelcher’s proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Ethicon incorporates its Memorandum in Support of Motion to Exclude The Opinions and Testimony of Scott A. Guelcher, Ph.D., and also the following exhibits:

Exhibit	Description
A	List of cases to which this motion applies;
B	<i>Huskey</i> 8/25/2014 Trial Transcript;
C	Guelcher 3/23/16 Deposition Transcript;
D	Mays 3/2/16 Deposition Transcript;
E	Priddy 3/8/16 Deposition Transcript;
F	Expert Report of Scott A. Guelcher, Ph.D.;

- G Guelcher 12/18/14 Deposition Transcript;
- H J. Blavias, *et al.*, *Safety Considerations for Synthetic Sling Surgery*, 18 Nat. Rev. Urology 17 (2015);
- I MacLean 9/29/15 Deposition Transcript;
- J Perry 2/3/15 Trial Transcript;
- K Winebarger Report;
- L Guelcher 9/15/15 Deposition Transcript;
- M S.A. Guelcher & R.F. Dunn, "Oxidative Degradation of Polypropylene Pelvic Mesh *In Vitro*," 26 (Supp. 1) Int'l Urogynecology J. 55, 56 (2015);
- N Iakovlev 9/14/15 Deposition Transcript;
- O P. Moalli, *et al.*, *Characterization of the Host Inflammatory Response Following Implantation of Prolapse Mesh in Rhesus Macaque*, 213(5) Am. J. Obstet. Gynecol. 668.e1-668.e10 (Nov. 2015);
- P V. Iakovlev, *et al.*, *Degradation of Polypropylene In Vivo: A Microscopic Analysis of Meshes Explanted From Patients*, J. Biomed. Mater. Res. Part B (2015);
- Q A. Imel, *et al.*, *In Vivo Oxidative Degradation of Polypropylene Pelvic Mesh*, 73 Biomaterials 131-41 (2015);
- R A. Clave, *et al.*, *Polypropylene As A Reinforcement In Pelvic Surgery Is Not Inert: Comparative Analysis of 100 Explants*, 21 Int. Urogynecol. J. 261, 266 (2010);
- S A. J. Wood, *et al.*, *Materials Characterization and Histological Analysis of Explanted Polypropylene, PTFE, and PET Hernia Meshes from an Individual Patient*, 24 J. Mater. Sci. Mater. Med. 1113 (2013);
- T Shelby Thames Expert Report;
- U C.R. Costello, *et al.*, *Characterization of Heavyweight and Lightweight Polypropylene Prosthetic Mesh Explants From a Single Patient*, 14 Surg. Innov. 168 (2007);
- V C.R. Costello, *et al.*, *Materials Characterization of Explanted Hernia Meshes*, 83B J. Biomed. Mater. Res Part B: Appl Biomater 44 (2007);

W B. Fayolle, *et al.*, *Oxidation Induced Embrittlement in Polypropylene—A Tensile Testing Study*, 70 Polymer Degradation & Stability 333 (2000);

X Guelcher 3/25/14 Deposition Transcript;

Y T. Liebert, *et al.*, *Subcutaneous Implants of PP Filaments*, 10 J. Biomed. Mater. Res. 939 (1976);

Z IR Microscopy of Explanted Prolene (Sept. 30, 1987), ETH.MESH.12831391–392;

AA Seven Year Data for Ten Year Prolene Study (Oct. 15, 1992), ETH.MESH.07690752–756;

BB Jordi 10/30/13 Deposition Transcript; and

CC Cardenas 8/18/14 Trial Transcript.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon’s supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon’s Motion to Exclude the Opinions and Testimony of Scott A. Guelcher, Ph.D.

Respectfully submitted,

ETHICON, INC., ETHICON LLC AND
JOHNSON & JOHNSON

/s/ Philip J. Combs

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CERTIFICATE OF SERVICE

I certify that on September 19, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ Philip J. Combs

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